

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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|-------------------------------------|---|-------------------------------|
| -----X | | |
| | : | |
| In re | : | |
| | : | Chapter 7 |
| SIZMEK INC., <i>et al.</i> | : | |
| | : | Case No. 19-10971 (DSJ) |
| Debtors. | : | |
| -----X | | (Joint Administered) |
| NITEL, INC., | : | |
| Plaintiff, | : | |
| | : | |
| v. | : | Adv. Proc. No. 21-01160 (DSJ) |
| | : | |
| CERBERUS BUSINESS FINANCE, LLC, and | : | |
| PEPI CAPITAL, L.P., | : | Civil Case No. 1:21-cv-05996 |
| | : | |
| Defendants. | : | |
| -----X | | |

RULE 7.1 DISCLOSURE STATEMENT

Pursuant to Fed. R. Civ. P. 7.1, the undersigned counsel hereby certifies that:

1. Defendant Cerberus Business Finance, LLC, a privately held non-governmental party, has no parent company and no publicly-held corporation owns 10% or more of its stock.
2. Defendant PEPI Capital, L.P., a privately held non-governmental party, has no parent company and no publicly-held corporation owns 10% or more of its stock.

Dated: July 13, 2021

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Finance, LLC and PEPI Capital, L.P.*